



GAIL FARBER, Director

COUNTY OF LOS ANGELES DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

900 SOUTH FREMONT AVENUE
ALHAMBRA, CALIFORNIA 91803-1331

<http://dpw.lacounty.gov>

ADDRESS ALL CORRESPONDENCE TO:
P.O. BOX 1460
ALHAMBRA, CALIFORNIA 91802-1460

February 10, 2015

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, California 90012

Dear Supervisors:

ADOPTED

BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES

24 of February 10, 2015


PATRICK O'GAWA
ACTING EXECUTIVE OFFICER

REVISION TO THE WATER CONSERVATION ORDINANCE FOR UNINCORPORATED COUNTY AREAS (ALL SUPERVISORIAL DISTRICTS) (3 VOTES)

SUBJECT

This action is to revise the Water Conservation Ordinance contained in Sections 620-680 of Chapter 11.38 of the Los Angeles County Code to address the mandatory water conservation regulations adopted by the State Water Resources Control Board dated July 15, 2014.

IT IS RECOMMENDED THAT THE BOARD:

1. Find that the proposed revisions to the Water Conservation Ordinance are exempt from the provisions of the California Environmental Quality Act.
2. Introduce, waive reading, and place the Water Conservation Ordinance on the subsequent agenda for adoption.
3. Approve the Water Conservation Ordinance amending Part 4 of Chapter 11.38, Sections 620-680 of the Los Angeles County Code, to revise the fine amounts for violations and expand prohibited water runoff areas.
4. Find that the purpose of the revisions to the Water Conservation Ordinance is to comply with mandatory water conservation regulations adopted by the State Water Resources Control Board.
5. Instruct the Director of Public Health to coordinate with unincorporated County area water purveyors to notify their customers of the provisions of the Water Conservation Ordinance.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

The purpose of this action is to revise the Water Conservation Ordinance and to notify unincorporated County area water purveyors of the provisions of the Ordinance.

The enclosed Ordinance will comply with the mandatory water conservation regulations adopted by the State Water Resources Control Board (SWRCB). The revisions include increasing the fine from \$100 to \$500 per day for violations of the prohibitions set forth by Sections 11.38.620 to 11.38.670. The revisions also prohibit runoff from Watering of Lawns and Landscaping (11.38.630) to adjacent property; non-irrigated areas; private and public walkways, roadways, and structures.

On July 22, 2014, the Board approved a motion by Supervisor Don Knabe to instruct the Director of Public Works to review the Ordinance and make the necessary changes to reflect the adopted SWRCB regulations for water conservation. The Department of Public Works worked with the Department of Public Health to recommend revisions to the Ordinance.

Approval of the Ordinance revision will bring the current Ordinance into conformance with the regulations adopted by the SWRCB.

Implementation of Strategic Plan Goals

The Countywide Strategic Plan directs the provision of Community Support and Responsiveness (Goal 2) by enacting requirements to encourage water conservation, reduce water wasting, and improve the reliability of water service to unincorporated County area residents.

FISCAL IMPACT/FINANCING

There will be no impact to the County General Fund.

Based on experiences during the last drought in 2008, Public Health does not foresee an impact to its routine operations. Should the enforcement workload increase significantly in future years, the Directors of Public Works and Public Health will return to the Board with a recommendation to fund the enforcement of the Ordinance.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

This Ordinance will enact water conservation regulations with a written warning for the first violation and a fine for each subsequent violation to minimize the potential impacts of the Statewide drought on unincorporated County residents.

Upon approval of the recommended actions, Public Health will inform the unincorporated County area water purveyors of the Ordinance and request that they notify their customers and encourage compliance with the provisions of the Ordinance. Water wasting complaints received by Public Works will be referred to the appropriate water purveyor. Unincorporated County area water purveyors will respond to alleged offenders. On an as-needed basis, they may refer offenders to Public Health for enforcement. The Director of Public Health and his duly authorized representatives are the designated individuals empowered to enforce Division 1 of Title 11, Health and Safety, including the provisions of the Ordinance, if adopted, pursuant to Section 11.02.030 of the Los Angeles County Code.

On March 21, 1991, the Board adopted Ordinance No. 91-0046U with provisions to prohibit water wasting in unincorporated County areas in response to the severe drought in 1991. The provisions of the Ordinance were codified in Title 11, Health and Safety, Chapter 11.38, Water and Sewers, of the Los Angeles County Code. The Ordinance was terminated on January 1, 1993, in accordance with its adopted language. On October 7, 2008, in response to yet another severe drought in 2008, the Board readopted the Ordinance with the same provisions, with the exceptions of the sunset date, revised fine amounts, and a review mechanism.

The adoption of the Ordinance is authorized by Article XI, Section 7, of the California Constitution, which establishes the County's general police power.

The Ordinance shall become effective 30 days from the date of final passage in accordance with Section 25123 of the Government Code.

The provisions of the Ordinance will be reviewed at least once every 2 years by the Director of Public Works, with input and concurrence from the Director of Public Health, and any necessary updates will be recommended to the Board.

The Ordinance has been approved as to form by County Counsel.

ENVIRONMENTAL DOCUMENTATION

The Ordinance is exempt from the provisions of the California Environmental Quality Act (CEQA) in that it can be seen with certainty that there is no possibility that the Ordinance may have a significant effect on the environment pursuant to Section 15061(b)(3) of the CEQA Guidelines. The Ordinance is covered by the general rule that CEQA applies only to projects that have the potential for causing significant effect on the environment. The Ordinance does not have such potential as its purpose is to allow for more stringent water conservation policies during times of drought in California.

Upon the Board's approval of the Ordinance, Public Works will file a Notice of Exemption with the County Clerk in accordance with Section 15062 of the CEQA Guidelines.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

There will be no negative impact on current County services or projects during the performance of the recommended actions.

CONCLUSION

Please return one adopted copy of this letter and the Ordinance to the Department of Public Works, Waterworks Division.

The Honorable Board of Supervisors

2/10/2015

Page 4

Respectfully submitted,

A handwritten signature in cursive script that reads "Gail Farber".

GAIL FARBER

Director

GF:AA:dvt

Enclosures

c: Chief Executive Office (Rita Robinson)
County Counsel
Executive Office
Department of Public Health